IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 125 OF 2005
IN
WRIT PETITION NO. 941 OF 2001

Ramesh Dudani .. Petitioner
V/s.
Juhu Supreme Shopping Center
Co-operative Society Limited & Anr. .. Respondents

Mr. Rajshekhar Govilkar for the Petitioner
Ms. Madhavi R. Dudhani for the Respondent No. 2

CORAM : DR. D.Y. CHANDRACHUD, J.
DATED : 27TH APRIL, 2005

P.C.:-

1. The Petition has been dismissed in default on 30.6.2004. The circumstances, in which the matter remained to be attended by the learned Advocate appearing on behalf of the Petitioner, has been adverted to in paragraph no. 3 of the Affidavit in support. Sufficient cause has been shown for the restoration, however, having regard to the fact that the Respondent appears in person, an order for payment of costs, should, in my view be passed in the interests of justice. Motion is made absolute in terms of prayer clause (a) and (b) subject to payment of costs, quantified at Rs. 1,500/- (Rs. One Thousand Five Hundred Only) to be paid within a week from today. Payment of costs to be condition precedent. Petition be placed on the Board after vacation.

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